

- I. **Mayor Fred Armstrong called a meeting of the City Common Council to order at approximately 7:00 PM.**
 - A. **Introduction of Page:** Amy Finke is a 6th grader at St. Peter's Elementary and John Marston is a 6th grader at Parkside Elementary.
 - B. **Opening Prayer** was given by Mike Malinsky from St. Peter's Lutheran Church.
 - C. **Pledge** – The Mayor led the pledge of Allegiance.
 - D. **Roll Call:** Present: John Brown, Ann DeVore, George Dutro, Craig Hawes, Robert Kittle, Martha Meyers, and. Absent: August Tindell
 - E. **Acceptance of Minutes from previous meeting** – John Brown moved to accept the minutes of the previous meeting. Ann DeVore seconded. The minutes were approved unanimously.
 - F. Mayor Armstrong introduced Dick Parker from the Foundation for Youth. Mr. Parker is the coach of the 18 and under Boys/Girls Clubs Indiana State Champion Basketball team. He introduced the players and the council and Mayor gave the team special recognition for their achievement.
- II. **Unfinished Business Requiring Council Action**
 - A. **Second reading of an Ordinance entitled “ORDINANCE NO. 1, 2003, AN ORDINANCE AMENDING THE ZONING MAP, A PART OF TITLE 17 (THE ZONING ORDINANCE) OF THE CODE OF LAWS OF COLUMBUS, INDIANA, TO REZONE 307 & 407 HOPE AVENUE AND 412 N & 418 N CHERRY STREET, COLUMBUS, IN, FROM R-4 (SINGLE-FAMILY RESIDENTIAL) TO SU-8 (SPECIAL USE – COMMUNITY CENTERS).** “ Planning Director Roger Hunt reviewed this item concerning the Foundation for Youth. There no comments from the council or the audience. **Craig Hawes moved to approve this ordinance. Rob Kittle seconded. The motion passed with 6 ayes and 0 nays.**
 - B. **Second reading of an Ordinance entitled “ORDINANCE NO. 2, 2003, AN ORDINANCE AMENDING THE ZONING MAP, A PART OF TITLE 17 (THE ZONING ORDINANCE) OF THE CODE OF LAWS OF COLUMBUS, INDIANA TO REZONE APPROXIMATELY 26.5 ACRES, LOCATED AT 8855 SOUTH CR 300 WEST, COLUMBUS (EAST SIDE OF CR 300 WEST, ½ MILE NORTH OF CR 600 SOUTH, FROM AG (AGRICULTURAL DISTRICT) TO SU-20 (PRIVATE RECREATIONAL FACILITIES):** This item concerning Woods and Waters Campground was reviewed by Roger Hunt. George Dutro had a question regarding the sign requirements for this property. There being no further discussion or comments from either the audience or the council, **Craig Hawes moved to approve this ordinance. Ann DeVore seconded. The motion passed with 6 ayes and 0 nays.**
 - C. Prior to the reading of the next agenda item, George Dutro excused himself from discussion and action on the item due to conflict of interest.
 - D. **Second reading of an Ordinance entitled “ORDINANCE NO. 3, 2003, AN ORDINANCE AMENDING THE ZONING MAP, A PART OF TITLE 17 (THE ZONING ORDINANCE) OF THE CODE OF LAWS OF COLUMBUS, INDIANA, TO REZONE APPROXIMATELY 5.94 ACRES FROM AG (AGRICULTURAL) TO SU-1 (CHURCHES), FOR THE PURPOSE OF CONSTRUCTING A NEW CHURCH BUILDING MEASURING APPROXIMATELY 11,250 SQUARE FEET GROUND FLOOR AREA, AS WELL AS APPROXIMATELY 82 PARKING SPACES, ALONG WITH LANDSCAPING, SIGNAGE, AND OTHER APPROPRIATE INFRASTRUCTURE,”** Roger Hunt reviewed this ordinance for the Lakeside Fellowship rezoning. He specifically addressed the concerns about entrances and exits to the site per the city engineering staff. There were no further comments form either the council or the audience. **Martha Meyers moved to approve this ordinance. Ann DeVore seconded. The motion passed with 5 ayes and 0 nays. George Dutro abstained from the vote**
- III. **New Business Requiring Council Action**
 - A. **Public Hearing and First reading of an Ordinance entitled “ORDINANCE NO.____, 2003, ORDINANCE VACATING PUBLIC RIGHT-OF-Way.”** Roger Hunt explained this request from Deb Perr representing the owners of this property at Cottage and 21st. The area has never actually been used as an alley way and the plat committee gave a favorable recommendation to vacate this right-of-way. George Dutro asked if a re-plat would required. Mr. Hunt said yes it would be. The Mayor closed the public hearing. **Craig Hawes moved to place this ordinance in proper channels. Rob Kittle seconded. The motion passed with 6 ayes and 0 nays.**
 - B. **First Reading of an Ordinance entitled “ORDINANCE NO.____, 2003, AN ORDINANCE AMENDING THE ZONING MAP, A PART OF TITLE 17 (THE ZONING ORDINANCE) OF THE CODE OF LAWS OF COLUMBUS, INDIANA, TO REZONE APPROXIMATELY 1.3 ACRES, LOCATED ON THE SOUTH SIDE OF 22ND STREET BETWEEN CENTRAL AVENUE AND COTTAGE AVENUE, FROM I-2 (MEDIUM INDUSTRIAL) TO B-5C (GENERAL BUSINESS WITH CONDITIONS** Roger Hunt explained this request from Deb Perr representing the owners of this property at 21st and Cottage. This action pertains to the old railway right-of-way property at that location. Mr.

Hunt reviewed the commitments under Section II of the ordinance. George Dutro asked what the record shows owner to be of this property. Mr. Hunt said that according to Bartholomew County Auditor documents Ventra Corp. is owner. Several questions centered around the impact that litigation on the ownership of this property could have upon this action. The conclusion by the city attorney, Terry Coriden, is that this action is based upon what the current public record reflects and any further action beyond that is not the responsibility of this council. George Dutro asked if this could be resolved prior to final council action. Mr. Coriden said that a title search could be done. Deb Perr gave the case for Ventra Corp as she says that they possess a quit-claim deed on the property from 1987 and have paid taxes on the parcel since that time. She also presented the plans for the property in question for a Family Video Store. Mr. Ken St. Clair had written a letter to the council that makes claim for some portion of this property. His attorney, John Butler also addressed the council regarding Mr. St. Clair's claim that is part of a class action suit filed in Montgomery County. E.R. Gray, also representing Ventra Corp. addressed the council and claims that they possess a "higher level" of title. He also stated that possible civil action is the resolution to this claim.

When public comments were sought by the Mayor, several residents from the area spoke against this rezoning. Citing such concerns as increased traffic, higher crime rate, and lowered property values. Speakers against the rezoning included Bart Smith and Julie Zeigler-Eudy who sought information as to what would be allowed on this property under this rezoning classification. Roger Hunt read through the list from the zoning laws. Included in the list would be bars and taverns. Tony Spachtholtz, owner of Graham Todd Automotive Dealership at the site spoke in favor of this action. He felt it to be an improvement to the location. John Councilor spoke to the tax base increase that this development would bring to the area. Several other neighbors, including Andy Krueger and Tony Query spoke against the plan.

George Dutro moved to amend the ordinance by adding commitment "3" to Section II that reads "Taverns, nightclubs, and bars shall be excluded from the list of permitted uses for this property or portion thereof." Craig Hawes seconded the amendment. The motion passed with 6 ayes and 0 nays.

George Dutro moved to place the amended ordinance in proper channels and that the property-claimant presents a more obvious case to the council before seconded reading. Craig Hawes seconded. The motion passed with 6 ayes and 0 nays.

- C. **First Reading of an Ordinance entitled "ORDINANCE NO.____, 2003, AN ORDINANCE AMENDING THE ZONING MAP, A PART OF TITLE 17 (THE ZONING ORDINANCE) OF THE CODE OF LAWS OF COLUMBUS, INDIANA TO REZONE APPROXIMATELY 18,850 SQ. FT. AT 2040 COTTAGE AVENUE (NORTHWEST AND SOUTHWEST CORNERS OF 21ST STREET AND COTTAGE AVENUE), COLUMBUS, INDIANA, FROM I-2 (MEDIUM INDUSTRIAL) TO B-5C (GENERAL BUSINESS DISTRICT WITH CONDITIONS)." Roger Hunt reviewed the three conditions under Section II of this ordinance. John Councilor, the developer of this project was present for questions. Council asked several technical questions regarding the off-site parking, the bordering alleys, and the nearby zoning that is already in place. Letitia McGaha whose property is to the immediate west of the property in question had several questions and spoke against the use of this building as a restaurant. Tony Query and Andy Krueger, from the neighborhood also spoke against this request. Bart Smith spoke favorably of John Councilor's other projects in the area, but was concerned for the traffic issues of this project. He also presented a petition against the project to be placed in the record that contained 21 names. Discussion took place concerning buffering, and alley alignment that may address the neighbors' problems.**

George Dutro asked Roger what would be allowed under a B1 Zoning. It would not allow full service restaurants. Roger then read the complete B2 list. John Brown asked about 21st Street possibly going through from Cottage to Central Avenue. Could 21st be closed at Cottage to prevent increased traffic in the neighborhood and provide access to the restaurant from Central?

George Dutro moved to amend the ordinance by changing under the heading "Official Zoning Map" to read "...shall be changed from I-2 (Medium Industrial District) to B-2C (General Business District with conditions) and by adding commitment "4" to Section II that reads, "Taverns, nightclubs, and bars shall be excluded from the list of permitted uses for this property." Rob Kittle seconded the amendment. The motion passed with 6 ayes and 0 nays.

George Dutro moved to place the amended ordinance in proper channels. Craig Hawes seconded the amended ordinance. The motion passed with 6 ayes and 0 nays.

At 9:07 PM, the Mayor called for a recess of the council. The council reconvened at 9:15 PM.

- D. **First reading of an Ordinance entitled "ORDINANCE NO.____, 2003, AN ORDINANCE AMENDING THE ZONING MAP, A PART OF TITLE 17 (THE ZONING ORDINANCE) OF THE CODE OF LAWS OF COLUMBUS, INDIANA TO REZONE APPROXIMATELY 169.95 ACRES, LOCATED SOUTH OF JONATHAN MOORE PIKE, BETWEEN I-65 AND MORGAN WILLOW TRACE, FROM PUD (PLANNED UNIT DEVELOPMENT) TO PUD (PLANNED UNIT DEVELOPMENT), WITH REVISED COMMITMENTS." Roger Hunt presented this request made by Menards, Inc, for their development called Columbus**

Crossing. The ordinance deals with the signage requirements as negotiated between the planning staff and Menards. Dick Noblitt expressed a concern with a pattern being developed about signage. He specifically cited the Lowes development at National Road and Taylor. Stephanie Pierret gave detailed review of her concerns for this development and the treatment of signage. She warned that the council be careful about the dangerous precedence being developed with this plan. Tom O'Neil from Menards, Inc. addressed the council about this plan. He was concerned that when comparisons are made that it be considered that this is a 170 acre development, not a typical commercial center.

At George Dutro's request, Roger reviewed the problems with the Lowes development signage issues. Rob Kittle asked what could be done to eliminate the clutter from signs along Jonathon Moore Pike. Roger said that monument signs would contribute to less clutter.

George Dutro moved to amend the ordinance by accepting 6 tenant totaling 345 square feet for tenant signs (57.5 each) on the State Road 46 and allow 1.5 times what would have been allowed for monument signs as wall signage for those tenants who choose to not construct a monument sign. Also, the staff shall provide a spread sheet as part of the ordinance. Ann DeVore seconded. The motion passed with 5 ayes and 1 nay from Craig Hawes.

After further discussion, **George Dutro moved to amend the ordinance again by changing Section II, 18, a., (2) to read "... with a maximum height of 40 feet and a maximum size of 515 square feet, including identification sign of 170 square feet and tenant signs totaling 345 square feet, and a limit of six (6) tenant signs." Changing Section II, 18, c to read "...the Columbus Zoning Ordinance, except that each lot will be limited to one (1) monument sign, regardless of the number of frontage and the length of frontages." Section II, 18, e to add "For each lot, the monument sign may be eliminated in exchange for one (1) additional wall sign up to 150 percent of the square footage of the monument sign that the lot is entitled to in Chapter 17.46 (Signs) of the Columbus Zoning Ordinance." Craig Hawes seconded. The motion passed with 6 ayes and 0 nays.**

George Dutro moved to place the amended ordinance in proper channels. Martha Meyers seconded the amended ordinance. The motion passed with 6 ayes and 0 nays.

- E. First reading of an Ordinance entitled "ORDINANCE NO.____, 2003, AN ORDINANCE AMENDING CERTAIN ZONING ORDINANCE PROVISIONS RELATING TO FRONT BUILDING SETBACKS." Roger Hunt explained the need for this change to the zoning ordinance as it pertained to set-backs. The activity on the National Road Project promoted the need to get this clarified. John Brown moved to place the ordinance in proper channels. Ann DeVore seconded. The motion passed with 6 ayes and 0 nays.**
- F. First reading of an Ordinance entitled " ORDINANCE NO.____, 2003, AN ORDINANCE AMENDING THE ZONING MAP, A PART OF TITLE 17 (THE ZONING ORDINANCE) OF THE CODE OF LAWS OF COLUMBUS, INDIANA TO REZONE APPROXIMATELY 10.89 ACRES, LOCATED ON THE EAST SIDE OF US 31, 160 FEET NORTH OF BASE ROAD IN COLUMBUS TOWNSHIP, FROM AG (AGRICULTURAL DISTRICT) TO SU-1 (CHURCHES)." Roger Hunt /read over the Section II commitments of this ordinance pertaining to a new Kingdom Hall worship facility. Martha Meyers moved to place the ordinance in proper channels. Ann DeVore seconded. The motion passed with 6 ayes and 0 nays.**

IV. Other Business

- A. Standing Committee and Liaison Reports** some information was shared for informational purposes. Craig Hawes submitted a memo for the record to reflect that Tobar, Inc. and Net Forge are in compliance with their tax abatement forms. Rob Kittle announced that Jim Pridgen has been appointed as the President of the Aviation Commission. Mayor noted that the Redevelopment Commission Ordinance will be placed on the May 7th Agenda.
- B. Next regularly scheduled meeting is Febraury 4, 2003 at 7:00 PM.**
- C. Adjourn – Martha Myers moved for adjournment. Ann DeVore seconded. Motion passed unanimously. Council adjourned at approximately 10:50 PM.**

Presiding Officer of the Common Council

ATTEST:

Columbus City Clerk Treasurer